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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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AYAL ROSENTHAL, :  
: Plaintiff, : 08-cv-5338 (LAK)  
: : ECF CASE  
v. :  
: DECLARATION OF EDWARD  
: HERNSTADT IN OPPOSITION  
: TO DEFENDANTS' MOTION  
: FOR SUMMARY JUDGMENT  
: NEW YORK UNIVERSITY, NEW YORK :  
: UNIVERSITY LEONARD N. STERN SCHOOL :  
: OF BUSINESS, and THOMAS F. COOLEY, :  
: Richard R. West Dean of the Leonard N. Stern :  
: School of Business, :  
: Defendants :  
----- x

1. I am counsel to Plaintiff Ayal Rosenthal and submit this Declaration in  
Opposition to Plaintiff's motion for Summary Judgment pursuant to Federal Rule of Civil  
Procedure 56.

2. Attached hereto as Exhibit 1 are extracts from the deposition of Gary  
Fraser dated November 9, 2009.

3. Attached hereto as Exhibit 2 are emails among Kim Corfman, Thomas  
Grace, Lee Chamberlin, and Gary Fraser dated April 17, 2007.

4. Attached hereto as Exhibit 3 are printouts from the NYU website  
regarding the Stern School's Teaching Fellow Financial Aid award program.

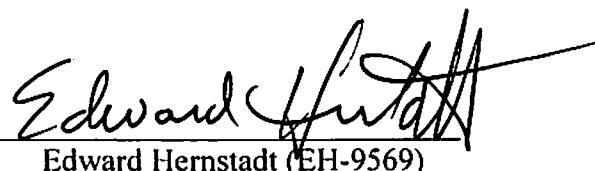
5. Attached hereto as Exhibit 4 are printouts from the NYU website  
regarding the Stern School's academic requirements.

6. Attached hereto as Exhibit 5 are extracts from the deposition of Thomas Grace dated October 27, 2009.

7. Attached hereto as Exhibit 6 are extracts from the deposition of Thomas Cooley dated November 6, 2009.

8. I hereby declare pursuant to 28 U.S.C. § 1746 and under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
March 5, 2010



Edward Hernstadt (EH-9569)